



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
077304,474	12/05/91	GREENE R	

YUEN, H EXAMINER

ROBERT M. CHIAVIELLO, JR.  
BAKER & BOTTS  
1000 TRAMMELL CROW CENTER  
2001 ROSS AVE.  
DALLAS, TX 75201-2916

ART UNIT	PAPER NUMBER
3404	13

DATE MAILED: 03/18/92

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 12/6/91 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s),        days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892.
2. ☐ Notice re Patent Drawing, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1449.
4. ☐ Notice of Informal Patent Application, Form PTO-152
5. ☐ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐ \_\_\_\_\_

Part II SUMMARY OF ACTION

1. ☒ Claims 1-26 are pending in the application.  
Of the above, claims 15-21, 26 are withdrawn from consideration.
2. ☐ Claims \_\_\_\_\_ have been cancelled.
3. ☐ Claims \_\_\_\_\_ are allowed.
4. ☒ Claims 1-14, 22-25 are rejected.
5. ☐ Claims \_\_\_\_\_ are objected to.
6. ☒ Claims 1-26 are subject to restriction or election requirement.
7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Serial No. 804,472

-2-

Art Unit 3404

Claims 1-26 are in the case. Claims 15-21 and 26 stand withdrawn from consideration.

The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

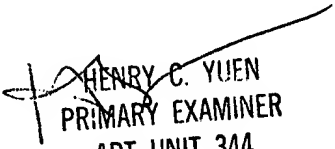
Claims 1-14, 22-25 are rejected under 35 U.S.C. § 103 as being unpatentable over Hadley U.S. Pat. 4,949,652 in view of Kent U.S. Pat. 4,922,841. Hadley shows an injector for blowing waste material into a first combustion chamber 14 and a second combustion chamber 16. Particle separator means 20 and liquid filter means 20-32 for chemically treating the <sup>fired</sup> exhaust gases. Kent shows cooler and neutralizer 62 for temperature reduction. Therefore, to provide Hadley (at 32) with a cooler and neutralizer of Kent would have been obvious in order to reduce pollutants. The claimed O<sub>2</sub> rich and deficient combustion stages are well known in the art.

Serial No. 804,472

-3-

Art Unit 3404

Applicant's arguments filed November 12, 1991 have been fully considered but they are not deemed to be persuasive. Broad claims presented are unpatentable over the art. Handley patent clearly shows the means 20-32 for capturing the particulate matter and chemically treating the same.

  
HENRY C. YUEN  
PRIMARY EXAMINER  
ART UNIT 344

H. YUEN:lm  
March 16, 1992  
703-308-2125